

MESSAGE NO: 5167301 MESSAGE DATE: 06/16/2015

MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: FIN-Final Determination PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: REF-Refund

FR CITE: 80 FR 31889 FR CITE DATE: 06/04/2015

REFERENCE 8262205, 5161304
MESSAGE #
(s):

CASE #(s): C-570-913

EFFECTIVE DATE: 11/09/2013 COURT CASE #: 08-00285

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Refund of countervailing duty cash deposit for Certain New Pneumatic Off-The-Road Tires from the PRC pursuant to the corrected amended final determination for 11/09/2013 - 06/09/2015 (C-570-913)

1. On 06/04/2015 (80 FR 31889), Commerce published in the Federal Register a corrected notice of decision of the court of international trade not in harmony and corrected notice of amended final determination in the countervailing duty investigation of Certain New Pneumatic Off-The-Road Tires from the People's Republic of China. See message 5161304, dated 06/10/2015.

2. Title 19 U.S.C. 1520(a)(4) authorizes refunds prior to liquidation whenever an importer of record declares or it is ascertained that excess duties, fees, charges, or exactions have been deposited or paid. In accordance with 19 U.S.C. 1520(a)(4), CBP is authorized to grant a refund, if requested by the importer, of cash deposits for entries of Certain New Pneumatic Off-The-Road Tires from the People's Republic of China from the entity listed in paragraph 4 below which were entered, or withdrawn from warehouse, for consumption on or after 11/09/2013 (the effective date of the amended final determination) at the 6.85 percent cash deposit rate in accordance with message 8262205, dated 09/18/2008, through 06/09/2015. Entries of subject merchandise from this producer and /or exporter, entered, or withdrawn from warehouse on or after 06/10/2015, the date of posting of message number 5161304, should have entered at 3.93 percent and would not require any such refund.

3. The refund amount will be calculated by determining the difference between the amount of cash deposits paid as a result of the application of the final determination rate and the amount due as a result of the application of the corrected amended final determination rate.

4. Listed below is the cash deposit rate that was assigned to a certain firm in the final determination. See message 8262205, dated 09/18/2008. In addition, listed below is the amended cash deposit rate assigned in the corrected amended final determination (see message number 5161304, dated 06/10/2015):

Producer and/or Exporter: Tianjin United Tire & Rubber International Co. Ltd (TUTRIC)

Case number: C-570-913-002

Message Date: 06/16/2015

Message Number: 5167301

Page 2 of 4

Final determination rate: 6.85%

Amended final determination rate: 3.93%

5. Do not liquidate entries of Certain New Pneumatic Off-The-Road Tires from the People's Republic of China produced and/or exported by the entity listed in paragraph 4 above until specific liquidation instructions are issued.
6. The interest provisions of section 778 of the Tariff Act of 1930, as amended, do not apply.
7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O7:DL.)
8. There are no restrictions on release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party